

REMARKS

Applicants thank the Examiner for the courtesies extended to Applicants' representative at the interview on May 10, 2007. During the interview, the rejections contained in the Office Action mailed on March 12, 2007, were discussed.

In the Office Action,¹ the Examiner rejected claims 1-29 under 35 U.S.C. § 101; rejected claims 1-29 under 35 U.S.C. § 112, second paragraph; rejected claims 1-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,643,625 to Acosta et al. ("Acosta") in view of U.S. Patent No. 6,993,505 to Katz et al. ("Katz").

In this response, Applicants propose amending claims 1-14, 16, 17, and 19-29 to expedite prosecution of this application and without acceding to any of the outstanding rejections. Thus, claims 1-29 remain pending and under current examination. In addition, Applicants respectfully traverse the outstanding rejections for the following reasons.

I. Rejection of Claims 1-29 Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 1-29 under § 101 as being allegedly directed to non-statutory subject matter. The Examiner alleged that the claimed invention is not useful "because it is not specific about the result it produces (i.e. outputs)." (Office Action at 5.) Applicants respectfully traverse the Examiner's rejection because the claims are directed to statutory subject matter and fully comply with the requirements of § 101. Nevertheless, to expedite prosecution of this

¹ The Office Action contains a number of statements reflecting characterizations of what the Examiner considers to be prior art and Applicants' claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

application and as agreed with the Examiner during the interview, Applicants propose amending independent claims 1, 10, 14, 19-22, and 26 to obviate this rejection by reciting “updating the loan information using the results of executing the one or more rules.” In light of this amendment, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-29 under 35 U.S.C. § 101.

II. Rejection of Claims 1-29 Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 1-29 under § 112, second paragraph, as being indefinite. Applicants respectfully traverse the Examiner’s rejection because the claims are not indefinite and fully comply with the requirements of § 112, second paragraph. Nevertheless, to expedite prosecution of this application and as agreed with the Examiner during the interview, Applicants hereby amend independent claims 1, 10, 14, 19-22, and 26 to obviate this rejection. In particular, Applicants have amended the claims to more distinctly claim the invention and address the Examiner’s allegation that “the claim fails to particularly point out how one or more rules and the satisfied triggers are pertinent to the loan information.” (Office Action at 6, emphasis in original.)

Applicants have also amended the corresponding dependent claims to provide sufficient antecedent basis. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-29 under 35 U.S.C. § 112, second paragraph.

III. Rejection of Claims 1-29 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner also rejected claims 1-29² under § 103(a) as being unpatentable over Acosta in view of Katz. Applicants respectfully traverse this rejection.

To establish a *prima facie* case of obviousness, the references must teach or suggest all the claim limitations. See M.P.E.P. § 2142, 8th Ed., Rev. 5 (August 2006). Moreover, “in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed.” USPTO Memorandum from Margaret A. Focarino, Deputy Commissioner for Patent Operations, May 3, 2007, page 2. In this case, however, a *prima facie* case of obviousness has not been established because, among other things, neither Acosta nor Katz, taken individually or in combination, teaches or suggests every feature of Applicants’ claimed invention.

For instance, claim 1 is directed to a method for processing loan information using a financial system and recites a combination of features including receiving loan information for one or more loans from one or more source systems; storing the loan information in one or more staging tables, the staging tables organizing, for each loan, the loan information into categories; establishing one or more triggers, each trigger

² Although the Office Action indicates that claims 1-29 are rejected under § 103 (Office Action at 6), the Examiner appears to only rely on Acosta to reject most of the claims, including the independent claims, and does not allege that Acosta fails to teach or suggest any feature of these claims. Applicants therefore respectfully request clarification of the grounds for the rejection under § 103 should the Examiner maintain the rejection in the next Office Action.

identifying one or more rules; identifying one or more satisfied triggers by evaluating the loan information stored in the one or more staging tables; retrieving, from the one or more staging tables, the loan information from each category required to execute the one or more rules for the satisfied triggers; executing the one or more rules on the retrieved loan information; and updating the loan information using the results of executing the one or more rules. Neither Acosta nor Katz, taken individually or in combination, discloses this combination of features.

For example, Acosta does not disclose at least “storing the loan information in one or more staging tables, the staging tables organizing, for each loan, the loan information into categories,” as recited in claim 1. The Examiner alleges that Acosta’s “loan origination records” constitute the claimed “staging tables” (Office Action at 6), but Acosta’s “loan origination records,” even if they could be considered “staging tables,” do not “organiz[e], for each loan, the loan information into categories,” as recited in claim 1.

Acosta also fails to teach or suggest the claimed “establishing one or more triggers, each trigger identifying one or more rules,” as recited in claim 1. Based on the interview with the Examiner, the Examiner alleges that Acosta’s periodic performance of audits (Acosta, col. 4: 7-10) constitutes the claimed “triggers.” Applicant’s disagree because the mere occurrence of a periodic time to perform an audit, as disclosed by Acosta, does not “identify[] one or more rules to perform on the loan information,” as recited in claim 1.

Further, periodically performing an audit, as disclosed by Acosta, does not constitute a teaching or suggestion of “identifying one or more satisfied triggers by

evaluating the loan information stored in the one or more staging tables,” as recited in claim 1. Accordingly, Acosta does not teach or suggest at least the above-mentioned claimed features.

Katz fails to cure the deficiencies of Acosta, nor does the Examiner rely on Katz for such teachings. Because neither Acosta nor Katz, taken individually or in combination, teaches or suggests each and every element recited by claim 1, no *prima facie* case of obviousness has been established with respect to this claim.

Independent claims 10, 14, 19-22, and 26, although of different scope, recite features similar to those of claim 1, and thus, are also allowable at least for the reasons stated above with respect to claim 1. Claims 2-9, 11-13, 15-18, 23-25, and 27-29 depend from independent claims 1, 10, 14, 22, or 26, respectively, and are also allowable at least because of their dependency on the independent claims, which are allowable for the reasons set forth above. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-29 under 35 U.S.C. § 103(a) as being unpatentable over Acosta in view of Katz.

IV. Conclusion

Applicants respectfully request the entry of this Amendment under 37 C.F.R. § 1.116 and request reconsideration and reexamination of the application in view of the foregoing remarks. Applicants also submit that the claims are in condition for allowance.

Should the Examiner continue to dispute the patentability of the claims after consideration of this response, Applicants request that the Examiner contact Applicants'

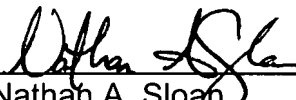
undersigned representative by telephone to discuss any remaining issues or to resolve any misunderstandings.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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